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10 Attorneys for Plaintiff, FITNESS INTERNATIONAL, LLC

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 FITNESS INTERNATIONAL, LLC,

14 Plaintiff,

15 vs.

16 LEAH ALSPAUGH and DOES 1 TO 50,  
17 Inclusive,

18 Defendants.

) Case No. 8:22-cv-01800-DOC-DFM  
)  
) **PLAINTIFF FITNESS**  
) **INTERNATIONAL, LLC'S**  
) **[PROPOSED] STATEMENT OF THE**  
) **CASE**

) Complaint Filed: October 3, 2022  
) Final Status Conf: April 17, 2023  
) Trial Date: May 2, 2023  
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22 Plaintiff FITNESS INTERNATIONAL, LLC, respectfully submits the  
23 following [Proposed] Statement of the Case:

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1 Plaintiff Fitness International, LLC, owns and operates sports and fitness clubs  
2 throughout North America under the trade name LA Fitness, among others. Fitness  
3 International, LLC also offers personal training services under the trade name Pro  
4 Results. Fitness International, LLC alleges that it is the owner of federally registered  
5 trademarks “L.A. Fitness,” “LA Fitness”, and “Pro Results.”

6 Defendant Leah Alspaugh is a former employee of Fitness International, LLC,  
7 who has not worked for Fitness International, LLC since approximately 2011. Fitness  
8 International, LLC alleges defendant Leah Alspaugh infringes on Fitness  
9 International, LLC’s federally registered trademarks, and further unfairly began using  
10 its trade names LA Fitness and Fitness International, in a manner that is likely to  
11 cause confusion amongst its members, employees, third-party business affiliates, and  
12 ordinary consumers.

13 Fitness International, LLC further contends that defendant Leah Alspaugh  
14 further engaged in fraudulent conduct with the intent to harm Fitness International,  
15 LLC’s business, including falsely claiming to be the owner of Fitness International,  
16 LLC’s sports and fitness clubs, harassing its employees, attempting to hire and fire  
17 employees, terminate membership agreements, filing documents with federal and state  
18 agencies under the name LA Fitness and/or Fitness International, attempting to access  
19 Fitness International’s bank accountds, opening up a bank account under the name  
20 “LA Fitness LLC” and attempting to induce Fitness International LLC employees to  
21 deposit funds into her account, and trespassing onto Fitness International, LLC  
22 properties, amongst other activities.

23 Defendant Leah Alspaugh denies these allegations, and contends she is the  
24 actual owner of “LA Fitness LLC” and the fitness facilities that are operated under the  
25 name “LA Fitness”.

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1 DATED: April 25, 2023

YOKA | SMITH, LLP

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3 BY: /s/ Christine C. De Metruis

4 ALICE CHEN SMITH

5 CHRISTINE C. DE METRUIS

6 Attorneys for Plaintiff, FITNESS

7 INTERNATIONAL, LLC

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